

07-27-01

A

07/25/01
 J1036 U.S. PTO
 09/915494

| | | |
|---|--|-------------------------------|
| UTILITY PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 C.F.R. § 1.53(b)) | Attorney Docket No. | AC-00127.P.1 |
| | First Inventor or Application Identifier | Robert Thomas Hudak |
| | Title | Specimen Collection Container |
| | Express Mail Label No. | EL879151647US |
| APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents | ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231 | |
| 1. <input checked="" type="checkbox"/> * Fee Transmittal Form (e.g. PTO/SB/17) (Submit an original and a duplicate for fee processing) 2. <input checked="" type="checkbox"/> Specification [Total Pages of application [53] 3. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets [4] 4. Oath or Declaration a. <input checked="" type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 C.F.R. § 1.63(d)) (For continuation/divisional with Box 16 completed) i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application See 37 C.F.R. §§ 1.63(d)(2) and 1.33(b). <u>*NOTE FOR ITEMS 1 & 13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27); EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).</u> 5. <input type="checkbox"/> Microfiche Computer Program (Appendix) 6. Nucleotide and/or Amino Acid Sequence Submission (If applicable, all necessary) a. <input type="checkbox"/> Computer Readable Copy b. <input type="checkbox"/> Paper Copy (identical to computer copy) c. <input type="checkbox"/> Statement verifying identity of above copies | | |

J1036 U.S. PTO
 09/915494
 07/25/01

ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & documents(s))
8. ☐ 37 C.F.R. § 3.73(b) Statement
(when there is an assignee)
☒ Power of Attorney
9. ☐ English Translation Document (if applicable)
10. ☐ Information Disclosure Statement (IDS)/PTO-1449
☐ Copies of IDS Citations
11. ☐ Preliminary Amendment
12. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
13. ☒ * Small Entity Statement(s) (PTO/SB/09-12)
☐ Statement filed in prior application. Status still proper and desired
14. ☐ Certified Copy of Priority Document(s)
(If foreign priority is claimed)
15. ☒ Other: Certificate of Mailing by Express Mail

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) Of prior application No: _____

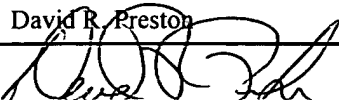
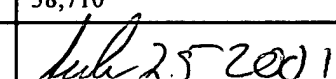
Prior application Information: Examiner _____ Group Art Unit _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE INFORMATION

☒ Customer Number **24232** or Bar Code Label []

☐ Correspondence address below

| | | | |
|--------------------------|---|-----------------------------------|--|
| Name | | David R. Preston | |
| Address | | 12625 High Bluff Drive, Suite 205 | |
| City, State and Zip Code | | San Diego, California 92130 | |
| Country | | USA | |
| Telephone | | 858.450.1388 | |
| Facsimile | | 858.450.2188 | |
| Name | David R. Preston | Registration Number | 38,710 |
| Signature |  | Date |  |

Corresponds to PTO/SB/05

11/03/97 11:03 AM

| FEE TRANSMITTAL | | Complete if Known | |
|--|-----------|-----------------------|---------------------|
| Patent fees are subject to annual revision on October 1. These are the fees effective October 1, 1997. Small Entity payments <u>must</u> be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 and 1.28. | | Application Number: | To be determined |
| | | Filing Date: | Herewith |
| | | First Named Inventor: | Robert Thomas Hudak |
| | | Group / Art Unit: | To be determined |
| Total Amount of Payment | \$ 706.00 | Docket Number: | AC-00127.P.1 |

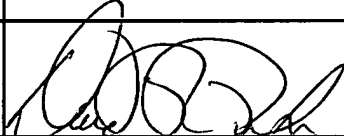
| METHOD OF PAYMENT |
|--|
| 1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account Number: [] Deposit Account Name: [] <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 C.F.R. §§ 1.16 and 1.17 <input type="checkbox"/> Charge the Issue Fee Set in 37 C.F.R. § 1.18 at the Mailing of the Notice of Allowance. |
| 2. <input checked="" type="checkbox"/> Payment Enclosed <input checked="" type="checkbox"/> Check Number <u>706.00</u> <input type="checkbox"/> Money Order <input type="checkbox"/> Other |

| FEE CALCULATION | | | | | | |
|---------------------|-----------------------|-----------------------|-----------------------|-----------------------|------------------------|------------------|
| 1. BASIC FILING FEE | | | | | | |
| | Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description | Fee Paid |
| | 101 | | 201 | 345 | Utility Filing Fee | \$ 355.00 |
| | 106 | | 206 | | Design Filing Fee | \$ |
| | 107 | | 207 | | Plant Filing Fee | \$ |
| | 108 | | 208 | | Reissue Filing Fee | \$ |
| | 114 | | 214 | | Provisional Filing Fee | \$ |
| SUBTOTAL (1) | | | | | | \$ 355.00 |

| 2. EXTRA CLAIM FEES | | | | | | | | |
|---|--------------|----------|--------------|-----------------|---|-------------------|--------|-----------|
| | | | | Extra Claims | | Fee From Below | | Fee Paid |
| Total Claims | [59] | -20 ** | Equals | [39] | Times | [9.00] | Equals | \$ 351.00 |
| Independent Claims | [2] | -3 ** | Equals | [0] | Times | [] | Equals | \$ 0.00 |
| Subtotal (2) | | | | | | | | \$ 351.00 |
| ** or number previously paid, if greater, For Reissues, see below | | | | | | | | |
| | Large Entity | | Small Entity | | Fee Description | | | |
| | Fee Code | Fee (\$) | Fee Code | Fee (\$) | | | | |
| | 103 | | 203 | 9.00 | Claims in excess of 20 | | | |
| | 102 | | 202 | | Independent claims in excess of 3 | | | |
| | 104 | | 204 | | Multiple dependent claim, if not paid | | | |
| | 109 | | 209 | | ** Reissue independent claims over original patent | | | |
| | 110 | | 210 | | ** Reissue claims in excess of 20 and over original patent | | | |

| 3. ADDITIONAL FEES | | | | | |
|----------------------|----------|--------------|----------|--|----------|
| Large Entity | | Small Entity | | Fee Description | Fee Paid |
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 105 | | 205 | | Surcharge - late filing fee or oath | \$ |
| 127 | | 227 | | Surcharge - late provisional filing fee or cover sheet | \$ |
| 139 | | 139 | | Non-English specification | \$ |
| 147 | | 147 | | For filing a request for reexamination | \$ |
| 112 | | 112 | | Requesting publication of SIR prior to Examiner action | \$ |
| 113 | | 113 | | Requesting publication of SIR after Examiner action | \$ |
| 115 | | 215 | | Extension for reply within first month | \$ |
| 116 | | 216 | | Extension for reply within second month | \$ |
| 117 | | 217 | | Extension for reply within third month | \$ |
| 118 | | 218 | | Extension for reply within fourth month | \$ |
| 128 | | 228 | | Extension for reply within fifth month | \$ |
| 119 | | 219 | | Notice of Appeal | \$ |
| 120 | | 220 | | Filing a brief in support of an appeal | \$ |
| 121 | | 221 | | Request for oral hearing | \$ |
| 138 | | 138 | | Petition to institute a public use proceeding | \$ |
| 140 | | 240 | | Petition or revive - unavoidable | \$ |
| 141 | | 241 | | Petition or revive - unintentional | \$ |
| 142 | | 242 | | Utility issue fee (or reissue) | \$ |
| 143 | | 243 | | Design issue fee | \$ |
| 144 | | 244 | | Plant issue fee | \$ |
| 122 | | 122 | | Petitions to the Commissioner | \$ |
| 123 | | 123 | | Petitions related to provisional applications | \$ |
| 126 | | 126 | | Submission of Information Disclosure Statement | \$ |
| 581 | | 581 | 40 | Recording each patent assignment per property | \$ |
| 146 | | 246 | | Filing a submission after final rejection (37 C.F.R. 1.129(a)) | \$ |
| 149 | | 249 | | For each additional invention to be examined (37 CFR 1.129(b)) | \$ |
| Other fee (specify): | | | | | \$ |
| | | | | Subtotal (3) | \$ 0.00 |

| 4. SUMMATION OF FEES | |
|----------------------|-----------|
| SUBTOTAL (1) | \$ 355.00 |
| SUBTOTAL (2) | \$ 351.00 |
| SUBTOTAL (3) | \$ 0.00 |
| TOTAL FEES | \$ 706.00 |

| SUBMITTED BY | | | Complete (If Applicable) | |
|-----------------------|---|-------|---------------------------------------|--------|
| Typed or Printed Name | David R. Preston | | Registration Number: | 38,710 |
| Signature |  | Date: | Deposit Account Number User ID Number | 501321 |

July 25, 2001

105260 46454660

David R. Preston, Ph.D, J.D.

Direct: 858.450.1388
preston@drpna.com

David R. Preston & Associates
11404 Sorrento Valley Road
Suite 104
San Diego, California 92121

Thomas D. Foster, J.D.[†]

[†]Of Counsel, Admitted in MD, DC and USPTO

Direct: 858.450.1348
foster@drpna.com

Box Patent Application

"Express Mail" Mailing Label Number: EL879151647US

Date of Deposit: July 25, 2001

Assistant Commissioner for Patents
Washington DC 20231

Re: Utility Patent Application
Entitled: Specimen Collection Container
Appl. No.: To be determined
Filed: Herewith
Inventors: Hudak
Our Ref.: AC-00127.P.1

Sir:

The following documents are forwarded herewith for appropriate action by the United States Patent and Trademark Office:

1. Utility Patent Application Transmittal (in duplicate);
2. Fee Transmittal (in duplicate);
3. Declaration for Utility or Design Patent Application;
4. Statement Claiming Small Entity Status – Small Business;

The following attorney is the attorney of record for prosecuting this application and transacting all business in the USPTO connected therewith:

David R. Preston, Esquire
Registration No. 38,710

Please send all correspondence and direct all telephone calls to:

David R. Preston
David R. Preston & Associates
12625 High Bluff Drive
Suite 205
San Diego, California 92130
858.450.1388

Respectfully Submitted,
DAVID R. PRESTON & ASSOCIATES

A handwritten signature in black ink, appearing to read 'David R. Preston', written over the printed name and firm name.

David R. Preston
Attorney for Applicant
Registration No. 38,710

Patent Office Cover Letter

PATENT APPLICATION

on

SPECIMEN COLLECTION CONTAINER

by

Robert Thomas Hudak

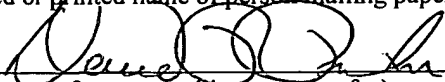
CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"EXPRESS MAIL" MAILING LABEL NUMBER EL 879157647 US

DATE OF DEPOSIT July 25, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231

David R Preston
(Typed or printed name of person mailing paper or fee)


(Signature of person mailing paper or fee)

David R. Preston & Associates
11404 Sorrento Valley Road
Suite 104
San Diego, CA 92121

0001540402504